

SENATE BILL NO. 137

INTRODUCED BY L. NELSON

BY REQUEST OF THE LOCAL GOVERNMENT FUNDING AND STRUCTURE COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A STATE AND LOCAL GOVERNMENT RELATIONSHIPS COMMITTEE; PROVIDING FOR COMMITTEE MEMBERSHIP AND STAFFING; ESTABLISHING THE PURPOSES AND DUTIES OF THE COMMITTEE; AMENDING SECTION 5-5-202, MCA; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. State and local government relationships committee. (1) There is a state and local government relationships committee. The committee consists of 16 members appointed before the 50th legislative day as follows:

(a) four members of the senate appointed by the committee on committees, no more than two of whom may be members of the same political party;

(b) four members of the house of representatives appointed by the speaker of the house, no more than two of whom may be members of the same political party;

(c) three representatives of county government appointed by the governor;

(d) two representatives of cities and towns appointed by the governor;

(e) one representative of K-12 education appointed by the governor; and

(f) a representative of the department of commerce and a representative of the department of revenue, who shall serve as ex officio nonvoting members and who are appointed by the governor.

(2) The Montana association of counties, the Montana league of cities and towns, the Montana school boards association, and the Montana rural education association may submit recommendations to the governor for the appointment of individuals representing each entity's area of expertise on the committee.

NEW SECTION. Section 2. Term of office -- vacancies. (1) The term of office of each state and local government relationships committee member is 2 years and terminates upon appointment of a new

1 committee before the 50th legislative day. Committee members may be reappointed. However, a
2 committee member may not serve more than 6 years.

3 (2) A vacancy on the committee must be filled by the selection of a member from the group that
4 the former member represented by the same method as the original appointment. An appointment to fill
5 a vacancy is for the remainder of the term of the former member.

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7 NEW SECTION. **Section 3. Officers.** The state and local government relationships committee shall
8 elect one of its members as presiding officer and may elect other officers that it considers necessary.
9 Officers serve for a term of 2 years.

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11 NEW SECTION. **Section 4. Meetings -- compensation.** (1) The state and local government
12 relationships committee may determine the time and place of its meetings but shall meet at least once
13 each quarter. The committee may meet upon the call of the presiding officer.

14 (2) Each legislative member of the committee is entitled to receive compensation and expenses
15 as provided in 5-2-302. Committee members other than legislators may not be compensated for their
16 service as members but are entitled to reimbursement for their expenses as provided in 2-18-501 through
17 2-18-503.

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19 NEW SECTION. **Section 5. Staff for committee.** The legislative services division shall provide
20 sufficient and appropriate support to the state and local government relationships committee, within the
21 limitations of legislative appropriations, in order that the committee may carry out its statutory duties.

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23 NEW SECTION. **Section 6. Purposes of committee -- duties.** (1) The purposes of the state and
24 local government relationships committee are to:

25 (a) promote and strengthen local government through recognition of the principle that strong
26 communities, with effective, democratic governmental institutions, are one of the best assurances of a
27 strong Montana;

28 (b) bring together representatives of state and local government for consideration of common
29 problems;

30 (c) provide a forum for discussing state oversight of local functions, realistic local autonomy, and

- 1 intergovernmental cooperation;
- 2 (d) identify and promote the most desirable allocation of state and local government functions,
- 3 responsibilities, and revenue;
- 4 (e) promote concise, consistent, and uniform regulation for local government;
- 5 (f) coordinate and simplify laws, rules, and administrative practices in order to achieve more
- 6 orderly and less competitive fiscal and administrative relationships between and among state and local
- 7 governments;
- 8 (g) review state mandates to local governments that are subject to 1-2-112 and 1-2-114 through
- 9 1-2-116; and
- 10 (h) conduct interim studies as assigned.
- 11 (2) The committee shall make recommendations to the legislature, executive branch agencies, and
- 12 local governing bodies concerning:
- 13 (a) changes in statutes, rules, ordinances, and resolutions that will provide concise, consistent,
- 14 and uniform guidance and regulations for local government;
- 15 (b) changes in tax laws that will achieve more orderly and less competitive fiscal relationships
- 16 between levels of government;
- 17 (c) methods of coordinating and simplifying competitive practices to achieve more orderly
- 18 administrative relationships among levels of government; and
- 19 (d) training programs and technical assistance for local government officers and employees that
- 20 will promote effectiveness and efficiency in local government.

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22 **Section 7.** Section 5-5-202, MCA, is amended to read:

23 **"5-5-202. Interim committees.** (1) During an interim when the legislature is not in session, the

24 committees listed in subsection (2) are the interim committees of the legislature. They are empowered to

25 sit as committees and may act in their respective areas of responsibility. The functions of the legislative

26 council, legislative audit committee, legislative finance committee, ~~and~~ environmental quality council, and

27 state and local government relationships committee are provided for in the statutes governing those

28 committees.

29 (2) The following are the interim committees of the legislature:

30 (a) business and labor committee;

- (b) education committee;
- (c) children, families, health, and human services committee;
- (d) law, justice, and Indian affairs committee;
- (e) revenue and taxation committee; and
- (f) state administration, public retirement systems, and veterans' affairs committee.

(3) An interim committee, the state and local government relationships committee, or the environmental quality council may refer an issue to another committee that the referring committee determines to be more appropriate for the consideration of the issue. Upon the acceptance of the referred issue, the accepting committee shall consider the issue as if the issue were originally within its jurisdiction. If the committee that is referred an issue declines to accept the issue, the original committee retains jurisdiction.

(4) If there is a dispute between committees as to which committee has proper jurisdiction over a subject, the legislative council shall determine the most appropriate committee and assign the subject to that committee."

NEW SECTION. Section 8. Transitional issues. The state and local government relationships committee shall continue the work begun by the local government funding and structure committee in the areas of tax administrative challenges and tax increment financing.

NEW SECTION. Section 9. Codification instruction. [Sections 1 through 6] are intended to be codified as an integral part of Title 5, and the provisions of Title 5 apply to [sections 1 through 6].

NEW SECTION. Section 10. Effective date. [This act] is effective July 1, 2001.

NEW SECTION. Section 11. Termination. [This act] terminates June 30, 2005.

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